

|  |                        |  |                                     |
|--|------------------------|--|-------------------------------------|
| <div style="display: flex; justify-content: space-between;"> <span style="font-size: 1.5em; font-weight: bold;">001813</span> <div> <b>REQUEST FOR COUNCIL ACTION</b><br/> CITY OF SAN DIEGO </div> </div>   |                        | 1. CERTIFICATE NL<br>(FOR AUDITOR'S)<br><div style="text-align: right;">114<br/>9/14</div>   |                                     |
| TO: CITY ATTORNEY  |                        | 2. FROM (ORIGINATING DEPARTMENT):<br>Real Estate Assets Department   |                                     |
| 4. SUBJECT:<br>Façade Easement for the John Ginty House  |                        | 3. DATE:<br>June 7, 2007   |                                     |
| 5. PRIMARY CONTACT (NAME, PHONE, & MAIL STA.)<br>David Sandoval, 236-5548, MS51A   |                        | 6. SECONDARY CONTACT (NAME, PHONE & MAIL STA.)<br>B. Lane MacKenzie, 236-6050, MS 51A  |                                     |
| 7. CHECK BOX IF REPORT TO COUNCIL IS ATTACHED <input type="checkbox"/>   |                        |  |                                     |
| 8. COMPLETE FOR ACCOUNTING PURPOSES  |                        |  |                                     |
| FUND   |                        |  |                                     |
| DEPT.  |                        |  |                                     |
| ORGANIZATION   |                        |  |                                     |
| OBJECT ACCOUNT   |                        |  |                                     |
| JOB ORDER  |                        |  |                                     |
| C.I.P. NUMBER  |                        |  |                                     |
| AMOUNT   |                        |  |                                     |
| 9. ADDITIONAL INFORMATION / ESTIMATED COST:<br>Cost: 0<br>Fiscal Impact: N/A<br>Job: 521996<br><br>Thomas Guide Page: 1289 B2  |                        |  |                                     |
| 10. ROUTING AND APPROVALS  |                        |  |                                     |
| ROUTE (#)  | APPROVING AUTHORITY    | APPROVAL SIGNATURE   | DATE SIGNED                         |
| 1  | REAL ESTATE ASSETS     | <i>David Sandoval</i>  | 6/7/06                              |
| 2  | EAS                    | <i>John Ginty</i>  | 6/8/07                              |
| 3  | EOCP MEMO 5-3-96       | <i>CD</i>  | 6/11/07                             |
| 4  | LIAISON OFFICE         |  |                                     |
| 5  |                        |  |                                     |
| 6  |                        |  |                                     |
| 7  |                        |  |                                     |
| 8  | DEPUTY CHIEF           | <i>J. L. Wing</i>  | 6/3/07                              |
| 9  | C.O.O.                 |  |                                     |
| 10   | CITY ATTORNEY          | <i>[Signature]</i>   | 7/6/07                              |
| 11   | ORIGINATING DEPARTMENT | <i>[Signature]</i>   | 7/13/07                             |
|  |                        | DOCKET COORD: <i>[Signature]</i>   | COUNCIL LIAISON: <i>[Signature]</i> |
|  |                        | <input checked="" type="checkbox"/> COUNCIL PRESIDENT<br><input type="checkbox"/> SPOB<br><input checked="" type="checkbox"/> CONSENT<br><input type="checkbox"/> ADOPTION<br><input type="checkbox"/> REFER TO: _____ | COUNCIL DATE: 9/04/07               |
| 11. PREPARATION OF: <input type="checkbox"/> RESOLUTION(S) <input type="checkbox"/> ORDINANCE(S) <input type="checkbox"/> AGREEMENT(S) <input type="checkbox"/> DEED(S)  |                        |  |                                     |
| Authorizing the acceptance of an Architectural Façade Easement, affecting the residence located at 1568 Ninth Avenue, granted by Marsha Sewell Shea.   |                        |  |                                     |
| 11A. STAFF RECOMMENDATIONS:<br><div style="text-align: center; margin-top: 20px;">Approve the Resolution</div>   |                        |  |                                     |
| 12. SPECIAL CONDITIONS (REFER TO A.R. 3.20 FOR INFORMATION ON COMPLETING THIS SECTION.)<br><u>COUNCIL DISTRICT(S):</u> 2<br><u>COMMUNITY AREA(S):</u> CENTER CITY<br><u>ENVIRONMENTAL IMPACT:</u> This activity is not a "project" and is therefore exempt from CEQA Guidelines pursuant to Section 15308.<br><u>DESCRIPTIVE LOCATION:</u> This property is located on Cortez Hill at the corner of Ninth and Date Streets<br><u>COST OF PROPERTY RIGHTS:</u> None |                        |  |                                     |

## EXECUTIVE SUMMARY SHEET

DATE ISSUED: REPORT NO.: \_\_\_\_\_

ATTENTION: Council President and City Council

ORIGINATING DEPT: Real Estate Assets

SUBJECT: Façade Easement

COUNCIL DISTRICT: 2

STAFF CONTACT: B. Lane MacKenzie, 236-6050

REQUESTED ACTION: Accept a Façade Easement for the John Ginty HouseSTAFF RECOMMENDATION: Approve the requested action.

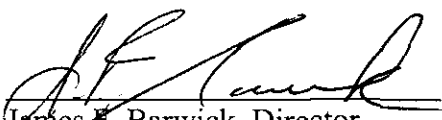
SUMMARY: In February 1992, the City Council adopted the Inventory, Education and Incentives Elements of the Comprehensive Historic Preservation Plan (CHPP). Contained in the Incentives Element is Façade Easements, a federal tax incentive available to owners of any property listed on the national Register of Historic Places.

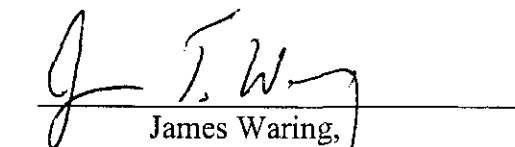
This façade easement allows the owner to receive a federal charitable contribution deduction in exchange for ensuring the preservation of the historical, aesthetic, scenic and cultural characteristics and conditions of the façade in perpetuity. The façade is then monitored by the grantee of façade easement, in this case the City of San Diego, on a cost-reimbursable annual basis to assure that the conditions of the easement are met.

The John Ginty House is a large, single family residence located at 1568 Ninth Avenue, at the corner of Date Street, on Cortez Hill. It is owned by Marsha Sewelll Shea and she wishes to grant an Architectural Façade Easement, on all four facades of this residence, to the City of San Diego to ensure that its historical, architectural and scenic values will be preserved in perpetuity, pursuant to the terms of the Easement. The Ginty House was designated as City of San Diego Historical Landmark #305 on June 12, 1991.

FISCAL CONSIDERATIONS: The city will receive an initial processing fee of \$500 and an annual \$300 inspection fee for City services rendered pursuant to this easement.

PREVIOUS COUNCIL and/or COMMITTEE ACTION: The Ginty House was nominated to the National Register of Historic Places by the Historical Resources Board August of 2006.

  
James F. Barwick, Director  
Real Estate Assets

  
James Waring,  
Deputy Chief/Chief Operating Officer



1. John Ginty House 1568 Ninth Avenue  
View to southwest of front facade

RESOLUTION NUMBER R-\_\_\_\_\_

DATE OF FINAL PASSAGE \_\_\_\_\_

A RESOLUTION AUTHORIZING THE ACCEPTANCE OF AN  
ARCHITECTURAL FAÇADE EASEMENT, AFFECTING THE  
RESIDENCE LOCATED AT 1568 NINTH AVENUE,  
GRANTED BY MARSHA SEWELL SHEA.

WHEREAS, the John Ginty House is a large, single-family residence located at  
1568 Ninth Avenue, at the corner of Date Street, on Cortez Hill; and

WHEREAS, Marsha Sewell Shea, owner, wishes to grant an Architectural Façade  
Easement [Easement] on all four facades of the residence, to the City of San Diego to ensure that  
its historical, architectural and scenic values will be preserved in perpetuity, pursuant to the  
terms of the Easement; and

WHEREAS, the Ginty House was designated as City of San Diego Historical Landmark  
#305 on June 12, 1991; and

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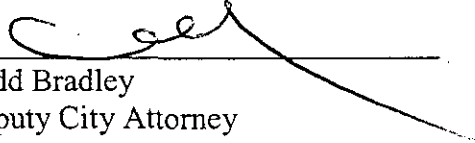
WHEREAS, the City will receive an initial processing fee of \$500 and an annual \$300  
inspection fee for City services rendered pursuant to the Easement; NOW, THEREFORE,

BE IT RESOLVED, by the Council of the City of San Diego, that the Mayor, or his  
designee is authorized and empowered to accept, for and on behalf of the City of San Diego, an  
Architectural Façade Easement for the John Ginty House located at 1568 Ninth Avenue, on all  
four facades of the residence, and as more particularly described in said Grant of Architectural  
Façade Easement on file in the Office of the City Clerk as Document No. RR-\_\_\_\_\_.

BE IT FURTHER RESOLVED, that the Auditor and Comptroller is authorized to collect an initial processing fee of \$500 and an annual \$300 inspection fee for City services render to this easement.

APPROVED: MICHAEL J. AGUIRRE, City Attorney

By

  
Todd Bradley  
Deputy City Attorney

TB:bas  
06/19/07  
Or.Dept:DSD  
R-2007-1249  
MMS #4990

I hereby certify that the foregoing Resolution was passed by the Council of the City of San Diego, at this meeting of \_\_\_\_\_.

ELIZABETH S. MALAND  
City Clerk

By \_\_\_\_\_  
Deputy City Clerk

Approved: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor

Vetoed: \_\_\_\_\_  
(date)

\_\_\_\_\_  
JERRY SANDERS, Mayor